

SEP 27 2005

I hereby certify that I have reasonable basis to expect that this correspondence is being transmitted by facsimile addressed to: Mail Stop Amendments Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450 via fax number 571-273-8300 on

September 27, 2005

Stephanie Harbin

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 09/845,120
(Attorney Docket No. GP-300996)

Filed April 30, 2001

Gregory P. Matthews
Charles H. Folkerts

Group 3747

METHOD AND APPARATUS FOR OBTAINING
A CONSISTENT PEDAL POSITION FOR A VEHICLE HAVING AN ENGINE
WITHDISPLACEMENT ON DEMAND
Examiner: Carl Stuart Miller

RESPONSE

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

REMARKS/ARGUMENTS

This amendment is in response to the Office Action mailed on June 16, 2005, wherein Claims 1-14 were rejected.

Claim Rejections Under 35 U.S.C § 102 and 103

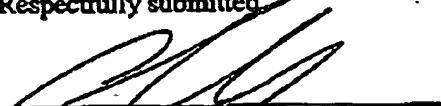
In the Final Office Action, Claims 1-14 were rejected under 35 U.S.C § 103 as being unpatentable over Taguchi in view of Foley, Yamanaka, and Kolmanovsky (in different combinations). Applicants have previously filed a Rule 1.131 affidavit eliminating the obviousness rejection based on the Kolmanovsky reference. Applicants respectfully point out

Serial No. 09/845,120

Page 3

If for some reason a fee needs to be paid, as well as one-month extension fee please charge
Deposit Account No. 07-0960 for the fees, which may be due.

Respectfully submitted,


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